

FILED

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

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TRANSMITTAL FORM

to be used for all correspondence after initial filing)

Application Number	09/977,528
Filing Date	10/12/2001
First Named Inventor	James Hong
Group Art Unit	3738
Examiner Name	Unassigned
Attorney Docket Number	ACS 57818

Total Number of Pages in This Submission

ENCLOSURES (check all that apply)

- ☐ Fee Transmittal Form
- ☐ Fee Attached
- ☐ Amendment / Reply
- ☐ After Final
- ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☐ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Response to Missing Parts/ Incomplete Application
- ☐ Response to Missing Parts under 37 CFR 1.52 or 1.53

- ☐ Assignment Papers (for an Application)
- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition
- ☐ Petition to Convert to a Provisional Application
- ☐ Power of Attorney, Revocation Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Request for Refund
- ☐ CD, Number of CD(s) _____

- ☐ After Allowance Communication to Group
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
- ☐ Proprietary Information
- ☐ Status Letter
- ☒ Other Enclosure(s) (please identify below):

Request for Corrected Filing Receipt (w/encl.)
Postcard

Remarks



24201

PATENT TRADEMARK OFFICE

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name

FULWIDER PATTON LEE & UTECHT, LLP

Signature

John Nagy

Date

11/26/2001

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JAN 16 2002

RECEIVED

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date:

11/26/01

Typed or printed name

John S. Nagy, Esq.

Signature

John Nagy

Date

11/26/2001

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CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with, sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, Washington, D.C. 20231 on November 26, 2001.

John S. Nagy
John S. Nagy, Reg. No. 30,664

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of)	Examiner: Unassigned
)	
Inventors: Hong et al.)	Group Art Unit: 3738
)	
Serial No.: 09/977,528)	Docket No. ACS 57818 (27042.3)
)	
Filed: October 12, 2001)	
)	
For: INTRAVASCULAR STENT)	November 26, 2001

REQUEST FOR CORRECTED FILING RECEIPT

Commissioner for Patents
Office of Initial Patent Examination
Customer Service Center
Washington, D.C. 20231

RECEIVED
JAN 16 2002
TC 3700 MAIL ROOM

Dear Sir:


Applicants respectfully request correction of the Filing Receipt for the above-identified patent application. The Filing Receipt indicates the title of the invention as "STENT PATTERN WITH FIGURE-EIGHTS," the correct title is "INTRAVASCULAR STENT." A copy of the issued Filing Receipt (Exhibit A) is enclosed with a copy of the face sheet of the Application (Exhibit B), a copy of the

Declaration and Power of Attorney (Exhibit C), a copy of the Utility Patent Application Transmittal (Exhibit D), and a copy of the postcard sent with the application and returned by the Patent Office on October 26, 2001 (Exhibit E), all of which reflect the title correctly as "INTRAVASCULAR STENT."

Respectfully submitted,

FULWIDER PATTON LEE & UTECHT, LLP

By:



John S. Nagy
Registration No. 30,664

JSN:jeb
Enclosures

6060 Center Drive, Tenth Floor
Los Angeles, California 90045
Telephone: (310) 824-5555



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/977,528	10/12/2001	3738	1190	ACS 57818	8	31	6

24201
FULWIDER PATTON LEE & UTECHT, LLP
HOWARD HUGHES CENTER
6060 CENTER DRIVE
TENTH FLOOR
LOS ANGELES, CA 90045

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FULWIDER PATTON LEE & UTECHT, LLP
LOS ANGELES

CONFIRMATION NO. 4201

FILING RECEIPT



OC000000007068516

Date Mailed: 11/14/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).**

Applicant(s)

James Hong, San Jose, CA;
E. Tina Cheng, Union City, CA;

Domestic Priority data as claimed by applicant

THIS APPLICATION IS A CIP OF 09/892,889 06/27/2001

Foreign Applications

If Required, Foreign Filing License Granted 11/14/2001

Projected Publication Date: 01/02/2003

Non-Publication Request: No

Early Publication Request: No

Title

Stent pattern with figure-eights

Preliminary Class

623

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

APPLICATION

of

JAMES HONG

and

E TINA CHENG

for

UNITED STATES LETTERS PATENT

on

INTRAVASCULAR STENT

Docket No. ACS 57818 (27042.3)

Sheets of Drawing Figures: Eight (8)

Attorneys
FULWIDER PATTON LEE & UTECHT, LLP
Howard Hughes Center
6060 Center Drive, Tenth Floor
Los Angeles, California 90045

Express Mail No. EL 737698757 US

As the below named inventors, we hereby declare that:

We believe we are the original and first inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled INTRAVASCULAR STENT, the specification of which (check one)

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above.

We acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Sec. 1.56.

We hereby claim foreign priority benefits under Title 35, United States Code, Sec. 119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Priority Claimed

Yes	No
-----	----

We hereby claim the benefit under Title 35, United States Code, Sec. 119(e) of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Sec. 112, we acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Sec. 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

<u>Appln. Serial No.</u>	<u>Filing Date</u>	<u>Status</u> (patented, pending abandoned)
--------------------------	--------------------	---

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

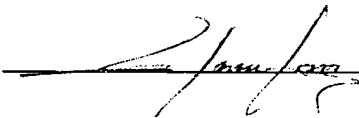
We hereby appoint the following attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

EARL A. BRIGHT II, Registration No. 37,045; THOMAS A HASSING, Registration No. 36,159; TIM L. KITCHEN, Registration 41,900; PHILIP S. YIP, Registration 37,265; RICHARD A. BARDIN, Registration No. 20,365; GILBERT G. KOVELMAN; Registration No. 19,552; JOHN S. NAGY, Registration No. 30,664; THOMAS H. MAJCHER, Registration No. 31,119; THOMAS A. RUNK, Registration No. 30,679; RONALD E. PEREZ, Registration No. 36,891; JOHN V. HANLEY, Registration No. 38,171; RICHARD B. CATES, Registration No. 36,100; JOHN K. FITZGERALD, Registration No. 38,881; PAUL Y. FENG, Registration No. 35,510; and GUNTHER O. HANKE, Registration No. 32,989. Direct all telephone calls to JOHN S. NAGY at telephone No. (310) 824-5555.

Address all correspondence to:

FULWIDER PATTON LEE & UTECHT, LLP
Howard Hughes Center
6060 Center Drive
Tenth Floor
Los Angeles, California 90045

Full name of first inventor: JAMES HONG

Inventor's signature: 

Date: 10.7, 2001

Residence: San Jose, California

Citizenship: United States of America

Post Office Address: 3970 The Woods Drive, #301
San Jose, California 95136

Full name of second inventor: E TINA CHENG

Inventor's signature: _____

Date: _____, 2001

Residence: Union City, California

Citizenship: United States of America

Post Office Address: 2430 Balmoral Street
Union City, California 94587

As the below named inventors, we hereby declare that:

We believe we are the original and first inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled INTRAVASCULAR STENT, the specification of which (check one)

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above.

This application in part discloses and claims subject matter disclosed in the earlier-filed pending application, Serial No. 09/892,889 filed June 27, 2001;

We acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Sec. 1.56.

We hereby claim foreign priority benefits under Title 35, United States Code, Sec. 119 (a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Priority Claimed

Yes	No
-----	----

We hereby claim the benefit under Title 35, United States Code, Sec. 119(e) of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Sec. 112, we acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Sec. 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

Appln. Serial No.	Filing Date	Status (patented, pending abandoned)
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We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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Address all correspondence to:

FULWIDER PATTON LEE & UTECHT, LLP
Howard Hughes Center
6060 Center Drive
Tenth Floor
Los Angeles, California 90045

Full name of first inventor: JAMES HONG

Inventor's signature: _____

Date: _____, 2001

Residence: San Jose, California

Citizenship: United States of America

Post Office Address: 3970 The Woods Drive, #301
San Jose, California 95136

Full name of second inventor: E TINA CHENG

Inventor's signature:  _____

Date: 07.10, 2001

Residence: Union City, California

Citizenship: United States of America

Post Office Address: 2430 Balmoral Street
Union City, California 94587

Please type a plus sign (+) inside this box → ⊕

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. ACS 57818

First Inventor James Hong

Title INTRAVASCULAR STENT

Express Mail Label No. EL737698757US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 28]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 8]
5. Oath or Declaration [Total Pages 6]
 - a. ☒ Newly executed (original or copy)
Copy from a prior application (37 CFR 1.63 (d))
(for continuation/divisional with Box 17 completed)
 - b. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s)
named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - a. ☐ Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. ☐ CD-ROM or CD-R (2 copies); or
 - ii. ☐ paper
 - c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☒ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement (when there is an assignee) ☐ Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☐ Other:

17. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☒ Continuation-in-part (CIP)

of prior application No.: 09 / 892,889

Prior application information:

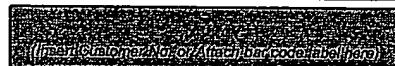
Examiner Unassigned

Group / Art Unit: Unassigned

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

18. CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Label



or ☐ Correspondence address below

Name

Address

City

Country

PATENT TRADEMARK OFFICE

State

Zip Code

Telephone

Fax

Name (Print/Type)

John S. Nagy, Esq.

Registration No. (Attorney/Agent)

30,664

Signature

John Nagy

Date 10/12/01

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

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OCT 26 2001

FULWIDER PATTON LEE & UTECH, LLP
LOS ANGELES

Please acknowledge receipt of our UTILITY PATENT APPLICATION TRANSMITTAL; FEE TRANSMITTAL (2, each in duplicate); APPLICATION; DECLARATION AND POWER OF ATTORNEY (in counterpart); RECORDATION FORM COVER SHEET; ASSIGNMENT (in counterpart); our check in the amount of \$1,190 for the filing fee; and our check in the amount of \$40 for the recordation fee; by affixing hereon the Patent Office date stamp and returning this card to our office. In re application of:

Inventors: James Hong, E Tina Cheng

Entitled: INTRAVASCULAR STENT

Mailed: October 12, 2001

Docket: ACS 57818 (27042.3)

JSN:jeb

jc821 U.S. PTO

09/977528



10/12/01



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WASHINGTON, D.C. 20231
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Bib Data Sheet

CONFIRMATION NO. 4201

SERIAL NUMBER 09/977,528	FILING DATE 10/12/2001 RULE	CLASS 623	GROUP ART UNIT 3738	ATTORNEY DOCKET NO. ACS 57818
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APPLICANTS

James Hong, San Jose, CA;
E. Tina Cheng, Union City, CA;

**** CONTINUING DATA *******

THIS APPLICATION IS A CIP OF 09/892,889 06/27/2001

**** FOREIGN APPLICATIONS *********IF REQUIRED, FOREIGN FILING LICENSE GRANTED**

** 11/14/2001

Foreign Priority claimed <input type="checkbox"/> yes <input type="checkbox"/> no	STATE OR COUNTRY CA	SHEETS DRAWING 8	TOTAL CLAIMS 31	INDEPENDENT CLAIMS 6
35 USC 119 (a-d) conditions met <input type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> Met after Allowance				
Verified and Acknowledged Examiner's Signature _____ Initials _____				

ADDRESS

24201

TITLE

Intravascular Stent

FILING FEE RECEIVED 1190	FEES: Authority has been given in Paper No. _____ to charge/credit DEPOSIT ACCOUNT No. _____ for following:	<input type="checkbox"/> All Fees
		<input type="checkbox"/> 1.16 Fees (Filing)
		<input type="checkbox"/> 1.17 Fees (Processing Ext. of time)
		<input type="checkbox"/> 1.18 Fees (Issue)
		<input type="checkbox"/> Other _____
		<input type="checkbox"/> Credit

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